IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUIT NO. 2908 OF 1996

Maharahstra Colour Processors .....**Plffs.**
vs.
Special Audience Publicatins .....**Defnds.**

R.G. Bhatt a/w. Monika Parikh for the plffs.

None for the defnds.

CORAM: S.U. KAMDAR, J.

DATE : 29TH AUGUST, 2005.

P.C. :.

1. The present suit is filed for Rs.1,07,433.02/- alongwith interest at the rate of 18% p.a. for the aforesaid mount. The present suit is based on the invoices which are set out in Ex.A to the plaint. It is the case of the plaintiff that the plaintiff is preparing the negatives and positives as per the contract ordered by the defendant and forwarded the same to the defendant which is in turn used by the

defendant for printing purpose. The plaintiff has produced before me the delivery challans and the bills inrespect of the said goods sold and delivered by the plaintiff to the defendant. The defendant has also made part payment by cheque bearing no. 178063 dated 31.1.96 for sum of Rs.53,716.51/-.

2. The said cheque has been dishonoured for insufficient funds . A notice was given on 15.2.96. In reply thereto a letter was sent that the defendant will rebut back to the plaintiff. However no further reply was given. In the aforesaid circumstances the present suit is filed. The defendants are served. Affidavit of service dated 14.9.99 and original document tendered in court are marked Ex.P.1 colly. Inrespect of the aforesaid defendant has filed no leave to defend. In view thereof suit is decreed as prayed.

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